



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Rothberg et al. CONFIRMATION NUMBER: 6233  
SERIAL NUMBER: 09/814,338 EXAMINER: YOUNG J. KIM  
FILING DATE: March 21, 2001 ART UNIT: 1637  
FOR: METHOD OF SEQUENCING A NUCLEIC ACID

MAIL STOP AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**NOTICE OF APPEAL  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Pursuant to 37 C.F.R. §1.191, Applicants hereby appeal to the Board of Patent Appeals and Interferences from the Examiner's December 29, 2005 Office Action finally rejecting the claims in the above-identified application. A check in the amount of \$500.00 for filing this appeal is enclosed herewith pursuant to 37 C.F.R. §1.17(b). Applicants are filing concurrently herewith a petition for a three-month extension of time pursuant to 37 C.F.R. §1.136(a)(1) and the required fee. With the extension, the Notice of Appeal is due on or before June 29, 2006.

The USPTO is authorized to charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Customer No. 35437, Reference No. 21465-501 CIP2. A duplicate copy of this Notice is enclosed.

Respectfully submitted,

Ivor Elrifi, Reg. No. 39,529  
Caryn DeHoratius, Reg. No. 45,881  
Attorneys for Applicants  
c/o MINTZ, LEVIN, COHN, FERRIS, *et al.*  
666 Third Avenue, 24<sup>th</sup> Floor  
New York, New York 10017  
Telephone: (212) 935-3000  
Telefax: (212) 983-3115

Dated: June 29, 2006

07/05/2006 CNEGA1 00000001 09814338

02 FC:1401

500.00 DF